

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

PATRICIA KEECH and DAVID NEWFIELD,)	
on behalf of themselves and all others similarly)	
situated,)	
)
Plaintiffs,)	Case No.: 18-cv-00683-JRT-HB
)
vs.)	
)
SANIMAX USA, LLC,)	
)
Defendant.)	

DECLARATION OF JEFFREY S. STORMS

I, Jeffrey S. Storms, solemnly affirm as follows:

1. I am over 18 years old and I am one of Plaintiffs' attorneys in the above-captioned matter.
2. I make this Declaration in further support of the request for class counsel fees in conjunction with Plaintiffs' Motion for Final Approval of Class Action Settlement, Certification of Settlement Class, and Appointment of Class Representatives and Class Counsel.
3. I am a 2006 *Magna Cum Laude* graduate from the University of St. Thomas School of Law, where I also graduated in the top ten of my law school class. I began my career as an associate at Oppenheimer Wolff & Donnelly LLP. From 2008 until 2015, I worked as an associate and then partner at Flynn Gaskins Bennett LLP/Gaskins Bennett

Birrell Schupp LLP. I began my own law firm, now known as Newmark Storms Dworak LLC, in 2015.

4. I have been named a “Super Lawyer “ by Super Lawyer Magazine every year since 2015, and I have been named an “Attorney of the Year” by Minnesota Lawyer in both 2013 and 2018 for plaintiff’s federal civil rights cases. In addition to civil rights work, I also practice in the areas of personal injury and business litigation. I have also taught Section 1983 Litigation as an adjunct professor at the University of St. Thomas School of Law.

5. My last lodestar approval of fees occurred in April 2015, when I was approved at a rate of \$400/hr. *See Fancher v. Klann*, Case No. 13-cv-435 (D. Minn.) at ECF No. 79 at *6, No. 79-2 at *38, No. 88. I last submitted a loadstar crosscheck at a rate of \$450/hr in support of attorneys’ fees in a Section 1983 wrongful death matter, where we were ultimately awarded all requested fees on January 3, 2019. *Broadus v. Johnson*, 16-cv-1211, at ECF Nos. 144, 189.

6. I believe that \$500 is a reasonable and appropriate rate for the Court to apply today in order to conduct a crosscheck of my fees in this matter, given the current state of my practice and experience I have gained since 2015. *See, e.g. Huyer v. Buckley*, 849 F.3d 395, 399 (8th Cir. 2017) (acknowledging use of loadstar analysis as crosscheck for reasonableness).

7. Attached hereto as Exhibit A is a true and correct copy of my time record in this matter.

8. The total value of my personal time alone is \$37,400. The fee my firm seeks in this matter is \$54,451.79. Thus, Newmark Storms Dworak LLC seeks a multiplier of approximately 1.46, which is well within the reasonable range recognized in this District. *See, e.g., Yarrington v. Soolvay Pharm., Inc.*, 697 F. Supp. 2d 1057, 1066 (D. Minn. 2010) (collecting cases and acknowledging courts have found multipliers in the range of 2.49 to 4.7 to be reasonable in this District).

9. In addition to my own personal time, there was also significant time invested by my legal assistant and paralegal communicating with and collecting data from the prospective class plaintiffs. However, since that is not work I would typically charge a client for in my practice, I did not require my staff to record this time expended.

10. Pursuant to 28 U.S.C. § 1746, I declare under the penalty of perjury that everything stated in this document is true and correct and that this Declaration was executed on May 18, 2020 in Hennepin County, Minnesota.

FURTHER YOUR DECLARANT SAYETH NOT.

/s/ Jeffrey S. Storms
Jeffrey S. Storms, #0387240